

ROB WALKER
5572 South Red Cliff Dr., #D
Salt Lake City, UT 84123

January 28, 2002

SENT VIA:

— E-MAIL TO: Microsoft.atr@usdoj.gov

X VIA FACSIMILE COPY TO: (202) 307-1454 or (202) 616-9937

The Honorable Colleen Kollar-Kotally
U.S. District Court, District of Columbia

c/o Renata B. Hesse
Antitrust Division, U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, D.C. 20530-0001

Re: Microsoft Settlement

Dear Judge Kollar-Kotally:

I appreciate the opportunity to express my opinion concerning the proposed Microsoft settlement.

I believe in the free market system and generally believe that market forces will regulate the market to ensure competition and fair conduct vis á vis consumers. Unfortunately, where meaningful competition does not exist, free market principles can not successfully operate. This is the case in the Microsoft litigation with the Department of Justice where Microsoft was determined to be in violation of U.S. antitrust laws. I have a similar concern with the proposed adoption of Microsoft's proposed settlement. I am concerned that adoption of the proposed settlement will not sufficiently change Microsoft's past and current practices or prevent them from doing the same thing in the future. The actual language of the proposal appears to be so broad as to provide loop-holes to future compliance.

Rather than engaging in another round of lawsuits five or ten years from now, the better course would be to impose a proper, enforceable remedy now. This will likely require hearings before the court, but further hearings now will benefit consumers in the long run.

Sincerely,



Rob Walker

cc: The Honorable Mark Shurtleff, Utah Attorney General

#112787 v1

MTC-00030118_0001